



Missouri Board for Architects, Professional
Engineers and Professional Land Surveyors

Dimensions

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CHAIRMAN'S LETTER

By: Paul Munger, P.E., Ph.D.

The time has come for me to tell you "good-bye" as I prepare to go on to other professional adventures. Although I retired almost two years ago, I cannot really say that I have enjoyed a 'life of retirement'. I have been busy, and a lot of my time has been spent on Board business. I have enjoyed my work with this Board and believe I have significantly gained as a professional from the experience. I am still greatly bothered by the fact that more engineers are not licensed; those who enjoy the exemptions provided by law. To carry this farther, it is these licensed engineers who are required to undertake formal professional development activities, while about 80% of the engineers in the state and country are not saddled with the requirement. That topic, however, is for another time.



As many of you know, the Board experienced some troubling times a year ago and found itself spending a lot of time trying to avoid financial

troubles. The Board has weathered those times and today, the Board is able to bring its attention to other important matters. Not only did we have to raise fees, we are also in the process now of trying to level out our cash flow. We will be doing this by requiring all licensees, whether architects, professional engineers or professional surveyors, to renew their individual licenses in odd or even numbered years, depending upon each person's year of initial licensure. This should be of help to the Board as we expect to renew approximately 11,000 licenses every year. We fully expect the current fees to be adequate to pay for the services provided by the Division of Professional Registration and the Department of Economic Development. Since we must deal with the situation now and then, I would like to remind all licensees that it is your personal responsibility to make sure you renew your license. The Board office quite often receives calls in which a licensee says he or she did not receive a renewal statement. It is each person's responsibility to inquire of the Board staff if a renewal notice is not received by November or December of the year the license is to be renewed.

Continued on Page 2

INSIDE THIS ISSUE...

Chairman's Letter	1-2
Architectural Division Letter.....	2
Professional Engineering Division Letter.....	3
Land Surveying Division Letter	3-4
Outgoing Board Member	4
National Award	4
Ms. Kempker Named ED	5
New Division Director Appointed.....	5
Board Staff	5
Proposed Rule Changes....	6-10
Proposed Change to Rule 4 CSR 30-10.010.....	11
Legislation.....	11-13
Renewals.....	13
Audit Report	13-14
NCEES	14
NCARB.....	14
Announcement of Public Forum	15
Congratulations to Those Who Passed the NCEES Principles and Practice of Surveying Exam and/or MO State Exam	15
Congratulations to Those Who Passed the NCEES Principles and Practice of Engineering Exam	16
Sex and Violence in Little Rock	17-18
Complaint Process	18
Disciplinary Actions.....	19-20
Other Actions	20-21
Reminder	21
Examination Schedule	22
Calendar.....	22
Moving?	23

Continued from Page 1

The Board will grow in size come April or May 2002 when the Landscape Architects join the Board as a new Division of the Board. Currently, the Board is comprised of 11 members; the chair, a public member and three members of the Architecture Division, the Engineering Division and the Surveying Division. With the addition of the Landscape Architects Division, the Board will have a total of 14 members. To give you some idea of the composition of licensees, there are roughly 16,000 licensed engineers, 4,000 licensed architects, 900 surveyors and there will about 200 licensed landscape architects.

The Board has also wrestled long and hard over the subject of electronic sealing and transmission of documents, including plans and specifications. The Board, at its August 27th meeting, voted to move in the direction of accepting electronic seals, providing both the transmitter and the receiver of the documents have authenticating software. This is in the very early stages of development and cannot become effective until the Rules of the Board have been changed. Until that time, all licensees must continue to affix their impression or rubber stamp seal to all final plans.

I would be remiss if I did not say something about the outstanding leadership that our new Executive Director, Mrs. Judy Kempker, has provided since taking over as the Board's permanent ED. Judy has been on staff for eleven year. She served as Administrative Assistant for ten years and she knows the work of the Board. She has done an excellent job of organizing the staff and everything is running very smoothly. As Judy usually accompanies the Board to various professional functions, I hope you will have the opportunity to meet her. You will find a person who is knowledgeable of the licensing process, who knows state gov-

ernment, and who is desirous of assisting all licensees whenever they have a problem. Please do not hesitate to contact her when and if you need information or assistance with a licensing matter.

In closing, let me wish each of you continued success in your professional activities.

ARCHITECTURAL DIVISION LETTER

*By: Vicki Noteis,
Division Chair*



Three important changes in our state licensing law (Missouri Revised Statutes - Chapter 327) were approved by the 2001

Missouri General Assembly under House Bill 567. With passage of this bill the Landscape Architectural Council will be dissolved and reestablished as a division of the APELS Board. This changes the LA's statutes from a title law to a practice law. Their 3 members will be added to our existing Board of 11 members (3 architects, 3 professional engineers, 3 land surveyors, 1 chair and 1 public member). The Landscape Architects will have 1 vote on the Board. Although the number of Landscape Architects is small in Missouri (as is their complaint file), the benefit in joining the APELS Board is in the ability to discuss and resolve issues that will naturally develop between disciplines, such as architecture, land surveying and civil engineering. This ability to knowledgeably sort through practice issues of originally 3 (now 4) disciplines is one of the positive experiences of serving on the Board and one of the unique aspects

that benefit our licensees. We welcome the Landscape Architects to this process.

The second change in Chapter 327 phases out the 12-year route to architectural licensing. This provision stemmed from the lack of a state school of architecture in Missouri and the difficulty of out-state residents to obtain an accredited degree. Missouri has been one of a few states that provided an alternative licensing route for non-accredited degree candidates. Prior to January 1, 2012, the 12-year candidates currently in the system can complete their program and apply to take the exam. However, beginning January 1, 2012, each applicant for the exam must have obtained a degree accredited from a school of architecture. If you have questions about your status, please call the office or a Board Member.

The third change in Chapter 327 requires each applicant for the exam to complete the IDP (Intern Development Program) provided by NCARB. Previously, the Board has allowed applicants to submit their own work log with their application in lieu of IDP. The Architectural Division of the Board has decided to gradually phase out the non-IDP applicants so no one currently documenting their 3 years of work experience will be penalized in any way. We are encouraging all graduates of the regional schools of architecture to enter the IDP as soon as possible and asking firms to talk with graduates and interns about IDP. However, any applicant during the next 3 years will have the option of submitting their own work log for review.

On behalf of the Architectural Division, I want to thank the many AIA members who have worked diligently (and patiently) for these legislative changes and for the continued communication about issues important to architects in Missouri.

PROFESSIONAL ENGINEERING DIVISION LETTER

By: Donald L. Hiatte,
Division Chairman

The licensure process in Missouri is similar to that in many other states in that we follow what is known as the "Three Es"



requirements. The Es are *EDUCATION*, *EXAMINATION*, *EXPERIENCE* and *EXAMINATION*. You will note there are four Es but Examination is used twice and will be explained later. Basic requirements for licensure in Missouri are:

1. Be 21 years of age;
2. Be of good moral character;
3. Be a graduate of an engineering program accredited by the Engineering Accreditation Commission (EAC) of the Accreditation Board of Engineering and Technology (ABET) or equivalent;
4. Pass the eight hour National Council of Examiners for Engineering and Surveying (NCEES) Fundamental of Engineering (F.E.) exam;
5. Complete four years of satisfactory engineering experience after confirmation of a B.S. degree and prior to taking the P.E. exam;
6. Pass the eight hour NCEES Principal of Practice of Engineering (P.E.) exam.

If a person is not a graduate of an EAC/ABET accredited program of study a request for evaluation for equivalency can be made. This evaluation is performed by trained professionals that

have an academic background. The evaluation also identifies areas of deficiencies, if any. At the present time the fee for the evaluation is \$300.00.

Satisfactory engineering experience could include progressive experience in the following areas:

1. Project planning including layout and design;
2. Engineering management and administration;
3. Construction at the technical decision making level;
4. Commissioned Military Service in a technical branch such as engineering, ordinance, civil work service and civil engineering corps;
5. Research and development at the planning and decision making level;
6. Teaching of advanced engineering courses as an assistant professor or higher designation;
7. Completion of graduate education, master's degree or PhD degree, one year of experience credit for either but not both.

In addition to the "3 Es" licensing, a person who has 20 years or more of satisfactory engineering experience and is over 50 years of age may apply for licensure in Missouri. There are two paths of licensure under this provision. One is if the person has a degree in engineering or science, they can prepare a report that has been specifically written for the purpose of licensure, and if accepted, appear for an oral examination. The alternative is to take and pass the P.E. Exam.

The Basic requirements for licensure identified in the beginning of this article also follow those identified by the member boards of NCEES for a "Model Law Engineer". In order to be a Model Law Engineer one must also have a record that does not indicate any disciplinary

action. The Model Law Engineer is a designation used in the NCEES Records Program and is used in Missouri and other states to expedite licensure by "comity".

Even though a person may not be identified as a Model Law Engineer they may be able to be licensed in Missouri under the following condition: if they were licensed in another state, territory or possession of the U.S. or in another country they could be licensed in Missouri provided the Board is satisfied by proof provided by the applicant that the applicant's qualifications met or exceeded the requirements for licensure in Missouri at the time of the applicant's initial licensure.

The "MARK" of a Professional is LICENSURE.

LAND SURVEYING DIVISION LETTER

By: James S. Anderson,
Division Chairman

At the time this article was written, there was about two months remaining in my term on the Board. Serving on the Board has been



a rewarding and enlightening experience. One thing, however, that has been very disappointing is the Board's inability to resolve complaints involving boundary line disputes.

Continued on Page 4

Continued from Page 3

During my tenure, the Board has received over a dozen complaints that were ultimately determined to be boundary line disputes. The complaints typically are filed by citizens who have a dispute with a neighbor and are confused because their survey and the neighbor's survey do not agree. The landowner, not being fully aware of the Board's functions, files a complaint hoping the Board can resolve their problem. Understandably, the person filing the complaint is disappointed and frustrated to learn that the Board does not have the authority to solve their problem.

Section 327.441 defines the Board's disciplinary authority. Under the provisions of that section, the Board can suspend or revoke a license if there are violations. Even if such action is taken, the questions concerning the boundary dispute remain. Unless the parties involved can reach an agreement, it might only be resolved through litigation. Because the expense of litigation can be more than the property values, it is not unusual to see disputes remain unresolved as a result.

Certainly, many disputes do not have a clear answer and are difficult to resolve. However, there are cases where better communication between the surveyor and the client, or between the two surveyors, could have lead to a resolution. As professionals, we should keep in mind our obligation to the public. Paragraph 2 of the Code of Professional Conduct (Board Rule 4CSR 30-2.010) says, "In the performance of professional services, registrants shall be cognizant that their primary responsibility is to the public welfare and this shall not be compromised by any self-interest of the client or the registrant."

In addition to our legal obligations, we should be concerned about the perception the public has about our profession. How many times have you heard people ask why can't surveyors agree on the location of a corner?

Occasionally, there may be legitimate arguments for more than one location of a corner. As surveyors, we can usually understand such an occurrence, however, do we take the time to try and explain the situation to our client, or to the client and their neighbor? Do we take the time to talk to the other surveyor to understand why we have differences? It might be difficult to take the time to do either, and a resolution may not be attainable. However, if you can settle a dispute, you might save the time it takes to resolve a complaint with the Board or

to defend your survey in court. You might also have taken an action that will enhance the public image of our profession.



OUTGOING BOARD MEMBER

On behalf of the Missouri Board for Architects, Professional Engineers and Professional Land Surveyors, we would like to thank Mr. Rich Barr for his dedication to the Board and exemplary services rendered to the people of the State of Missouri while serving as a member of the Board from December 20, 1996 to April 23, 2001.

We wish him the very best for the future.



Gerard J. Harms, Sr.

NATIONAL AWARD

The Missouri Board for Architects, Professional Engineers and Professional Land Surveyors is pleased to announce that former Board Members Gerard J. Harms, Sr., P.E., P.L.S. and Robert G. Wade, P.E. were awarded "The Central Zone Award" by the National Council of Examiners for Engineering and Surveying (NCEES) for their outstanding and dedicated service to NCEES. Messrs. Harms and Wade were honored with this award at the NCEES Central Zone Meeting on April 27, 2001 in St. Paul Minnesota.



Robert G. Wade



MS. KEMPKER NAMED EXECUTIVE DIRECTOR

In the Board's April edition, we reported that Judy Kempker was named Acting Executive Director of the Board. We are now pleased to report that on May 4, 2001, Ms. Kempker was officially named the Executive Director of the Missouri Board for Architects, Professional Engineers and Professional Land Surveyors. Ms. Kempker has been employed with the Board for the past 11 years and brings much experience with her to this position. She is always available and willing to answer any of your questions.



NEW DIVISION DIRECTOR APPOINTED

We would like to welcome Marilyn Taylor Williams to the Division of Professional Registration. On January 25, 2001, she was confirmed as the new Director of the Missouri Division of Professional Registration. She replaces Randall Singer, who served as the Division Director since 1993.

Prior to her confirmation, Ms. Williams of Dudley, served in the House of Representatives from 1991 to 2001.

She represented District 156, comprised of parts of Stoddard, Wayne and Bollinger counties, from 1991 to 1993 and represented District 159, comprised of parts of Stoddard and Scott counties from 1993 to 2001.

In the General Assembly, Ms. Williams' key committee assignments included chair of the House Agribusiness Committee, vice-chair of Appropriations, Agriculture and Economic Resources, and the House Budget Committee. She was also a member of the Missouri Tourism Commission.

BOARD STAFF

Routing your calls to the numbers below will allow our staff to better assist you by answering questions about the areas they handle. You may also leave a message on our voice mail if we are unavailable and we will return your call promptly.

Call

Karen Payne
(573) 751-0047

For Information On:

General information questions,
application packet requests,
address changes,
renewals, reinstatements and ver-
ifications

Sharon Snodgrass
(573) 751-0048

Corporations

Jan Gilliam
(573) 751-0049

Examinations, proctoring
requests and licensure qualifica-
tions

Nancy Plaster
(573) 751-0050

Application status, licensure quali-
fications and foreign degree evalu-
ations

Robin Moses
(573) 751-0046

Issuance of licenses and accounts
payable and receivable

Tammy Weber
(573) 751-0800

Requests for complaint forms and
certifications

Sandy Robinson
(573) 751-1055

Board meeting dates, agendas
and minutes, loan deferments,
questions pertaining to Chapter
327 and the Board Rules

Mike Perry
(573) 751-1056

Investigations and complaint
inquiries

PROPOSED RULE CHANGES

At the Board's May 7, 2001 Meeting, the members discussed and voted on the following rule changes:

Board Rule 4 CSR 30-8.020 - The Board voted to rescind the current language and readopt new language which explicitly outlines the professional development standards for professional land surveyors applying for renewal of licensure under the provisions of Section 327.251, RSMo.

Board Rule 4 CSR 30-11.010 - The Board voted to rescind the current language and to readopt new language in an effort to even out the Board's cash flow. At present, the Board has approximately 6,000 licensees renewing one year and approximately 15,000 renewing the next. The language the Board is proposing would change its renewal cycles to where approximately one half of all licensees, including corporations, would renew their licenses each year. This, in turn, would balance the Board's cash flow from year to year and, as a result, generate a more predictable fund balance.

Board Rule 4 CSR 30-11.020 - The Board voted to adopt the language in this proposed rule for purpose of clarifying the requirements and conditions for renewing and reactivating a professional land surveyor's license.

These proposed rescissions and proposed rules have been filed with the Missouri Secretary of State and are scheduled to go into effect on December 30, 2001. However, since the Secretary of State reserves the right to change the schedule due to special circumstances, we strongly suggest you check the latest publication of the *Missouri Register* to verify that no changes have been made in this schedule. The *Missouri Register* and *Code of State Regulations (CSR)* are now available on the internet. The Register address is <http://mosl.sos.state.mo/moreg/moreg.htm> and the CSR is <http://mosl.sos.state.mo.us/csr/csr.htm>. To avoid possible confusion, we are reprinting the entire language for each of these rules, as amended effective December 30, 2001.

**Title 4-DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 30-Missouri Board for Architects, Professional
Engineers and Land Surveyors
Chapter 8-Land Surveying**

PROPOSED RESCISSION

4 CSR 30-8.020 Professional Development Requirements for Land Surveyors. This rule established professional development requirements for renewal of land surveyor certificate registration.

PURPOSE: This rule is being rescinded and readopted to outline the professional development standards for professional land surveyors applying for renewal of licensure under the provisions of section 327.041, RSMo.

AUTHORITY: section 327.041, RSMo 2000. Original rule filed Dec. 8, 1981, effective March 11, 1982. Amended: Filed Jan. 27, 1987, effective April 26, 1987. Rescinded and readopted: Filed

PUBLIC ENTITY COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE ENTITY COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

**Title 4 - DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 30 - Missouri Board for Architects, Professional
Engineers and Professional Land Surveyors
Chapter 8 - Land Surveying**

PROPOSED RULE

4 CSR 30-8.020 Professional Land Surveyor - Professional Development Units

PURPOSE: This rule outlines the professional development standards for professional land surveyors applying for renewal of licensure under the provisions of section 327.041, RSMo.

- (1) Each licensed professional land surveyor, as a condition for renewal of his/her license, shall complete a minimum of twenty (20) professional development units (PDU) each two (2) year period immediately preceding renewal, except as provided in section (2) of this rule.
- (2) The following are exceptions to the requirement that licensees successfully complete twenty (20) PDUs prior to renewal:

Continued on Page 7

PROPOSED RULE CHANGES Continued

Continued from Page 6

- (A) The licensee can show good cause why he/she was unable to complete the PDU requirements. In the event good cause is shown, the licensee will be required to make up all outstanding required PDUs within a reasonable amount of time as established by the board; or,
 - (B) The licensee received his/her initial licensure during the preceding two (2) year period. The licensee will be required to complete an average of one (1) PDU per month for each month of licensure; provided however that the licensee will not be required to complete more than twenty (20) PDUs; or,
 - (C) If the licensee served honorably on full time active duty in the military, the licensee may renew his/her license without completing the PDU requirement for the renewal period during which the licensee served.
- (3) A licensee who completes more than twenty (20) PDUs during the two (2) years immediately preceding renewal may carry forward into the next two (2) year period up to ten (10) PDUs.
- (4) In evaluating PDUs for licensure renewal, the board will be guided by the following standards and guidelines:
- (A) Criteria: In order to qualify as acceptable PDU credit, each activity must:
 - 1. Have a clear purpose and objective to maintain, improve and/or expand skills and knowledge obtained prior to licensure or to develop new and relevant skills and knowledge;
 - 2. Have a well organized content presented in a sequential manner;
 - 3. Show evidence of pre-planning, including an opportunity for input by the target group to be served;
 - 4. Be presented by persons qualified by education and experience; and,
 - 5. Provide information to the licensee necessary for PDU record-keeping and reporting purposes.
 - (B) Except as otherwise stated in this rule, licensees shall earn one (1) PDU for every fifty (50) to sixty (60) minutes of activity that qualifies as acceptable PDU credit pursuant to this rule.

(C) Activities.

- 1. PDU activities must be relevant to the practice of land surveying and may include technical, ethical or business related content.
 - 2. PDUs may be earned at locations outside Missouri, so long as the activity qualifies as acceptable PDU credit pursuant to this rule.
 - 3. Assuming they otherwise qualify as acceptable PDU credit pursuant to this rule, the following activities are acceptable sources of PDU credits:
 - A. Successful completion of college or university course earns thirty (30) PDUs per semester hour and twenty (20) PDUs per quarter hour. Auditing or "hearing" a course qualifies for one-third (1/3) PDU credit of that stated herein.
 - B. Active participation and successful completion of seminars, tutorials, workshops, short courses, correspondence courses, or televised or videotaped courses.
 - C. Attending program presentations at related technical or professional meetings.
 - D. Authoring a paper or article earns five (5) PDUs upon actual publication in a regionally or nationally circulated technical journal or trade magazine.
 - E. Teaching or instructing a course or seminar that satisfies the PDU criteria described in this rule, or making a presentation at a technical meeting or convention. For the original instruction or presentation, a licensee shall earn two (2) PDUs for each PDU a participant could earn pursuant to this rule. For subsequent instructions or presentations, a licensee shall earn only one (1) PDU for each PDU a participant could earn pursuant to this rule. Licensees shall not earn more than ten (10) PDUs per two (2) year renewal period for teaching, instruction, or making presentations.
- (5) All licensees shall maintain and retain records of PDU activities completed for a period of four (4) years after the reporting period in which the PDU was completed. The

Continued on Page 8

PROPOSED RULE CHANGES Continued

Continued from Page 7

board may conduct an audit of licensees to verify compliance with the PDU requirements. Licensees shall assist the board in any audit by providing timely and complete responses to the board's inquiries. At a minimum, licensees must keep the following records:

- (A) A log identifying the type of activity claimed, the sponsoring organization, location of the program, duration of the program, the name of the instructor(s) or speaker(s), and the PDU credits earned; and,
 - (B) Attendance verification records such as certificates of attendance, signed attendance receipts, paid receipts, a copy of a listing of all attendees signed by a person in responsible charge of the activity, or other documentation verifying attendance.
- (6) Any person or entity may seek pre-approval of a PDU activity by providing the board the following information. The professional land surveying division will approve or deny credit for the activity within forty-five (45) calendar days of receipt of the information.
- (A) Date(s) of the program or activity;
 - (B) An outline or syllabus of the program;
 - (C) Presentation abstract(s);
 - (D) Preliminary program with time frames;
 - (E) Course or program description; and,
 - (F) Names of the instructor(s) or speaker(s) with biographical information showing their education and professional experience;
- (7) The board will review all PDUs claimed in support of a renewal application. If it is determined that a portion of the claimed PDUs fail to meet PDU requirements, the licensee will be notified in writing of the denied PDUs. If PDUs are denied to the extent that the licensee has failed to obtain the required number of PDUs for renewal, then the board will deny issuance of the renewal and will notify the licensee in writing of their right to appeal the board's decision to the Administrative Hearing Commission.

AUTHORITY: section 327.041, RSMo 2000.

PUBLIC ENTITY COST: This proposed rule is estimated to cost state agencies and political subdivisions \$1,672.30 biennially for the life of the rule. It is anticipated that the total

cost will recur biennially for the life of the rule, may vary with inflation and is expected to increase biennially at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the Secretary of State.

PRIVATE ENTITY COST: This proposed rule is estimated to cost private entities \$456,000 biennially for the life of the rule. It is anticipated that the total costs will recur biennially for the life of the rule, may vary with inflation and is expected to increase biennially at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the Secretary of State.

Title 4 - DEPARTMENT OF ECONOMIC DEVELOPMENT Division 30 - Missouri Board for Architects, Professional Engineers and Professional Land Surveyors Chapter 11 - Renewals

PROPOSED RESCISSION

4 CSR 30-11.010 Renewal Period. This rule established the licensing period for the Missouri Board of Architects, Professional Engineers and Land Surveyors and established the information required to keep the records of the board current.

PURPOSE: This rule is being rescinded and readopted to more clearly outline the licensing period for the Missouri Board of Architects, Professional Engineers and Land Surveyors and establishes the information required to keep the records of the board current.

*AUTHORITY: section 327.041, RSMo (2000). * Original rule filed*

PUBLIC ENTITY COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE ENTITY COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

Continued on Page 9

PROPOSED RULE CHANGES Continued

Continued from Page 8

**Title 4 - DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 30 - Missouri Board for Architects,
Professional
Engineers and Professional Land Surveyors
Chapter 11 - Renewals**

PROPOSED RULE

4 CSR 30-11.010 Renewal Period.

PURPOSE: This rule establishes the licensing period for the Missouri Board for Architects, Professional Engineers and Professional Land Surveyors and establishes the information required to keep the records of the board current.

- (1) Effective January 1, 2002 the license issued to every registered architect, professional engineer and professional land surveyor in Missouri shall, except as set forth in subsections (1)(A) and (1)(B) of this rule, be renewed biennially. Licenses originally issued in an odd numbered year shall be renewed by December 31 of each odd numbered year. Licenses originally issued in an even numbered year shall be renewed by December 31 of each even numbered year.
 - (A) Licenses originally issued in an odd numbered year and currently scheduled for renewal in December 2002 shall be renewed for one (1) year only, whereafter they shall be renewed biennially as set forth in section (1) of this rule.
 - (B) Licenses originally issued in an even numbered year and currently scheduled for renewal in December 2003 shall be renewed for one (1) year only, whereafter they shall be renewed biennially as set forth in section (1) of this rule.
 - (C) The fee for renewal of a license under subsections (1)(A) and (1)(B) of this rule shall be prorated based on the renewal fee set forth in 4 CSR 30-6.015.
- (2) Effective January 1, 2002 the certificates of authority issued to corporations authorized to offer architectural, engineering and land surveying services in Missouri shall, except as set forth in subsections (2)(A), (2)(B), (2)(C), and (2)(D) of this rule, be renewed biennially. Certificates of authority originally issued in an odd

numbered year shall be renewed by December 31 of each odd numbered year. Certificates of authority originally issued in an even numbered year shall be renewed by December 31 of each even numbered year.

- (A) Certificates of authority originally issued in an odd numbered year and currently scheduled for renewal in February 2002 shall be renewed through December 31, 2003, whereafter they shall be renewed biennially as set forth in section (2) of this rule.
 - (B) Certificates of authority originally issued in an even numbered year and currently scheduled for renewal in February 2002 shall be renewed through December 31, 2002, whereafter they shall be renewed biennially as set forth in section (2) of this rule.
 - (C) Certificates of authority originally issued in an odd numbered year and currently scheduled for renewal in February 2003 shall be renewed through December 31, 2003, whereafter they shall be renewed biennially as set forth in section (2) of this rule.
 - (D) Certificates of authority originally issued in an even numbered year and currently scheduled for renewal in February 2003 shall be renewed through December 31, 2004, whereafter they shall be renewed biennially as set forth in section (2) of this rule.
 - (E) The fee for renewal of a certificate of authority under subsections (2)(A) through (2)(D) of this rule shall be prorated based on the renewal fee set forth in 4 CSR 30-6.015
- (3) Each renewal application from every registered architect, professional engineer and professional land surveyor in Missouri shall be accompanied by the following information, in addition to any other information the board may require:
 - (A) Name;
 - (B) Address; and
 - (C) Place of employment.
 - (4) Each person holding a license and corporation holding a certificate of authority to practice architecture, professional engineering and professional land surveying

Continued on Page 10

PROPOSED RULE CHANGES Continued

Continued from Page 9

in Missouri shall file, in writing, their proper and current mailing address of record with the board at its office in Jefferson City and immediately notify the board, in writing, at its office of any changes of mailing address, giving both the old and the new addresses.

- (5) Failure to receive an application for renewal of a license or certificate of authority shall not relieve the licensee or certificate holder from their duty to timely renew, nor shall it relieve them from the obligation to pay any additional fee(s) necessitated by any late renewal.

*AUTHORITY: section 327.041, RSMo 2000. * Original rule filed*

PUBLIC ENTITY COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate as the cost associated with the renewal of a license or certificate of authority have been disclosed with the rule governing such fees.

PRIVATE ENTITY COST: This proposed rescission will not cost private entities more than \$500 in the aggregate as the cost associated with the renewal of a license or certificate of authority have been disclosed with the rule governing such fees.

Title 4-DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 30-Missouri Board for Architects, Professional Engineers and Professional Land Surveyors Chapter 11 - Renewals

PROPOSED RULE

4 CSR 30-11.020 Professional Land Surveyor - Renewal and Reactivation of Licensure.

PURPOSE: This rule clarifies the requirements and conditions for renewing and reactivating a professional land surveyor's certificate of licensure.

- (1) Licenses not renewed on or before the renewal date become non-current and subject to the provisions of section 327.351, RSMo. No person is entitled to practice as a professional land surveyor unless he/she holds a current and active license.

- (2) In order to renew a license, the licensee must:

- (A) Submit a completed renewal application form furnished by the board; and,
- (B) Pay the required fee; provided however, no fee shall be paid by a licensee who is at least seventy-five (75) years of age at the time the renewal is due; and,
- (C) Submit a completed Professional Development Unit ("PDU") form furnished by the board verifying that the licensee has completed at least twenty (20) PDUs during the preceding two (2) calendar years unless otherwise exempted.

- (3) Licensees who request to be classified as inactive pursuant to section 327.351.5, RSMo, may maintain their inactive status by paying the renewal fee as provided in 4 CSR 30-6.015. Inactive licensees need not complete the PDU requirement. However, an inactive licensee shall not have his/her license reactivated until he/she pays the required reactivation fee, and in addition, either:

- (A) Completes the PDU requirements as described in section 327.351.6(1), RSMo; or,
- (B) Successfully completes the Missouri Specific Examination for professional land surveyors pursuant to section 327.351.6(2), RSMo.

AUTHORITY: section 327.041, RSMo 2000.

PUBLIC ENTITY COST: This proposed rule is estimated to cost state agencies and political subdivisions \$3,126.40 biennially for the life of the rule. It is anticipated that the total cost will recur biennially for the life of the rule, may vary with inflation and is expected to increase biennially at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the Secretary of State.

PRIVATE ENTITY COST: This proposed rule is estimated to cost private entities \$9,000 biennially for the life of the rule. It is anticipated that the total costs will recur biennially for the life of the rule, may vary with inflation and is expected to increase biennially at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the Secretary of State.

PROPOSED CHANGE TO BOARD RULE 4 CSR 30-10.010

The Board is considering a change in the rules (4CSR 30-10.010) concerning Certificates of Authority for Corporations. Paragraph (1) states that the corporation must provide the name of "... the individual employed by it who will be in responsible charge of architecture, professional engineering or land surveying being practiced in this state through the corporation...". The current language in paragraph (2) further states that "If the individual in responsible charge is not a full-time employee, the firm, company or corporation must submit a copy of the written contract which defines the responsibility." The Board is considering changing paragraph (2) to require that the professional in responsible charge must be an employee of the firm, company or corporation in direct control and that s/he personally supervises all architecture, engineering or land surveying done by the firm, company or corporation.

This would not affect an architectural firm who, for example, offers and practices architecture from subcontracting engineer-

ing or land surveying services. It would; however, prohibit the architectural firm from offering engineering services if they do not employ engineers in one of their offices.

What is the reason for this proposed change? It would keep the required immediate personal supervision in house, where it is more likely to occur. It would keep non-licensed firms from offering professional services that they do not personally provide. It would keep a drafting firm from advertising that they provide engineering services, when in fact, there are no engineers on staff. It would protect the public from the fraud of a firm offering services it is not qualified to provide. It would make it more difficult for someone to be hired just to "plan stamp" drawings that were not prepared or supervised by him/her.

Please provide written comment individually or through your professional societies concerning this proposed change in rule.

LEGISLATION

As some of you may or may not know, House Bill 567 was Truly Agreed To and Finally Passed in the 2001 Session of the Missouri General Assembly. This bill contains provisions relating to the Division of Professional Registration, and includes a number of changes to Chapter, 327 RSMo.

As a result of the passage of this Bill, the following revisions went into effect on August 28, 2001.

- The Landscape Architectural Council is dissolved and the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects is established. The membership of the Board is increased from 11 to 14, with 3 of the members to be landscape architects. The chairman of the Landscape Architects Division of the Board will have one vote when voting on actions before the Board. If a vacancy occurs within the Landscape Architects Division of the Board, the president of the Missouri Association of Landscape Architects will submit a list of 5 landscape architects to fill the position.

Persons are prohibited from holding themselves out as landscape architects without being duly licensed. Persons working in the landscape, nursery, or gardening industry

are not prohibited from engaging in their occupations as long as the project scope does not jeopardize public health. The bill waives the licensure requirement for those individuals currently registered with the division on or before August 28, 2002.

If you're wondering when this change will actually occur, please be advised of the following: ***"Upon appointment by the Governor and confirmation by the Senate of the Landscape Architecture Division, the Landscape Architectural Council will be abolished and all of its powers, duties and responsibilities will be transferred to and imposed upon the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects."***

These revisions are too voluminous to publish in this edition of the newsletter; however, they are available on the Board's web site. If you wish to view them online, please go to www.ecodev.state.mo.us/pr/moapels, click on the box entitled "Statutes" and then select "Revised".

Continued on Page 12

LEGISLATION Continued

Continued from Page 11

- Prior to January 1, 2012, any person who has a total of 12 years of education beyond the high school level and satisfactory architectural experience may apply to the Board for licensure as an architect. Beginning January 1, 2012, all applicants will be required to hold a degree from an accredited school of architecture. Beginning January 1, 2002, each applicant for a license in architecture will be required to complete an intern program as provided by the National Council of Architectural Registration Boards.
- Persons may apply for licensure as land surveyors if they have been enrolled as a land surveyor in training and have acquired at least 4 years of satisfactory professional field and office training under the direct supervision of a professional land surveyor. Prior to acceptance for enrollment in the land surveyor in training program, individuals must provide evidence that they have completed a certain amount of college credit hours in land surveying.

For your ease of reference, we have taken the liberty of publishing the revisions to Sections 327.131 and 327.314 as follows:

327.131. 1. Any person may apply to the board for examination and license as an architect who is over the age of twenty-one, is of good moral character, and is a graduate of and holds [a degree in architecture from an accredited] **an accredited degree from an accredited degree program from a school of architecture and has acquired at least three years of satisfactory architectural experience [after acquiring the degree aforesaid, or]. Prior to January 1, 2012, any applicant who possesses the age and character qualifications as provided in this subsection and who has acquired a combined total of twelve years of education, above the high school level, and satisfactory architectural experience may apply to the board for examination and license as an architect. Beginning January 1, 2012, all new applicants shall hold an accredited degree from an accredited degree program from a school of architecture.**

2. The board shall provide by rule what shall constitute satisfactory architectural experience, based upon recognized education and training equivalents.

3. Beginning January 1, 2002, each applicant who has graduated with an accredited degree from an accredited degree program from a school of architecture shall complete the intern development program (IDP) as defined in the IDP Guidelines: Intern Development Program, 1994, as published by the National Council of Architectural

Registration Boards, as amended. Completion of the intern development program shall be deemed to be satisfactory architectural experience.

327.314. [Any person may apply to the board for examination and license as a professional land surveyor who has been enrolled as a land surveyor-in-training for a period of not less than one year and who has presented evidence to the satisfaction of the board that such person has completed the following requirement: a person who applied for enrollment as a land surveyor-in-training under the provisions of subsection 1 or 2 of section 327.312 must have acquired at least two years of satisfactory professional field and office experience in land surveying projects under the immediate personal supervision of a professional land surveyor in addition to the experience required for enrollment as a land surveyor-in-training. A person who applied for enrollment as a land surveyor-in-training under the provisions of subsection 3 of section 327.312 must have acquired at least one year of satisfactory professional field and office experience in land surveying projects under the immediate personal supervision of a professional land surveyor in addition to the experience required for enrollment as a land surveyor-in-training. At any time prior to January 1, 1991, any person possessing the experience qualifications above set forth may apply to the board for examination and license as a professional land surveyor if the applicant either:

(1) Is a graduate of and holds a degree in engineering from an accredited school of engineering and has acquired at least two years of satisfactory land surveying experience after such person has graduated and has received a degree as aforesaid; or

(2) Is a high school graduate, or holds a Missouri certificate of high school equivalence (GED), and after such graduation or after having acquired the certificate, has acquired at least eight years of satisfactory education and experience in land surveying.] **1. Any person may apply to the board for examination and licensure as a professional land surveyor who has been enrolled as a land surveyor-in-training and has presented evidence to the satisfaction of the board that said person has acquired at least four years of satisfactory professional field and office experience in land surveying from the date of enrollment as a land surveyor-in-training. This experience shall have been under the immediate personal supervision of a professional land surveyor.**

Continued on Page 13

LEGISLATION Continued

Continued from Page 12

2. At any time prior to January 1, 2006, any applicant enrolled as a land surveyor-in-training under the provisions of subsections (1) or (2) of section 327.312, must have acquired at least two years of satisfactory professional field and office experience in land surveying under the immedi-

ate supervision of a professional land surveyor. Any person who applied for enrollment as a land surveyor-in-training under the provisions of subsection (3) of section 327.312, must have acquired at least one year of satisfactory professional field and office experience in land surveying under the immediate supervision of a professional land surveyor.

RENEWALS

Renewal notices were mailed to all architects and professional land surveyors during the first week of September. If you have not received your 2002-2003 renewal notice, please call the Board office at (573) 751-0047 as soon as possible. A few reminders regarding renewal notices.....before you return your renewal notice to the Board office, please check the following:

- ✓ Have you enclosed the correct amount? If you are an architect, please be sure your check is made payable to the Missouri Board for Architects and if you are a professional land surveyor, please make sure your check is made payable to the Missouri Board for Professional Land Surveyors.
- ✓ Have you completed all sections? If you are an architect, please be sure to answer questions 1-3 and if you are a professional land surveyor, please be sure to answer questions 1-4.

- ✓ Have you signed the renewal notice? They are not valid unless signed by the architect or professional land surveyor.

Renewal notices that are incomplete will be returned. It is the licensee's responsibility to ensure that the renewal form is completed and returned in a timely manner, even if you have delegated it to an office manager or assistant. The renewal period will end on December 31, 2001. A licensee who fails to renew his/her license by December 31 shall not practice in Missouri on January 1 and thereafter until such license has been renewed. Licensees practicing in Missouri without a renewed license are subject to disciplinary action by the Board.

Failure to receive an application for renewal of a license or certificate of authority shall not relieve the licensee or certificate holder from their duty to timely renew, nor shall it relieve them from the obligation to pay an additional fee(s) necessitated by any late renewal.

AUDIT REPORT

The Missouri State Auditor's office has just recently completed its audit of the Missouri Board for Architects, Professional Engineers and Professional Land Surveyors. The scope of this audit included, but was not necessarily limited to, the years ending June 30, 1999 and 2000. The objectives of this audit were to review compliance with certain constitutional provisions, statutes, and attorney general's opinions, as was deemed necessary or appropriate in the circumstances and to review certain management practices.

The audit was conducted in accordance with applicable standards contained in Government Auditing Standards, issued by

the Comptroller General of the United States, and included such procedures as was considered necessary in the circumstances. In this regard, the State Auditor's Office also examined the Board's financial and management records, made inquiries of Board employees, and examined other papers and documents as determined appropriate for the audit.

In addition, as part of the audit, the State Auditor's Office assessed the Board's management controls to the extent they determined necessary to evaluate the specific matters de-

Continued on Page 14

AUDIT REPORT Continued

Continued from Page 13

scribed above and not to provide assurance on those controls. With respect to management controls, the State Auditor's Office obtained an understanding of the design of relevant policies and procedures and whether they have been placed in operation.

The audit was limited to the specific matters described above and was based on selective tests and procedures considered appropriate in the circumstances.

If you wish to review the State Audit Report of the Missouri Board for Architects, Professional Engineers and Professional Land Surveyors, you may do so at www.auditor.state.mo.us.

NCEES

The purpose of the National Council of Examiners in Engineering and Surveying (NCEES) is to provide an organization through which state boards may act and counsel together to better discharge their responsibilities in regulating the practice of engineering and land surveying as it relates to the welfare of the public in safeguarding life, health, and property. The Council also provides such services as may be required by the boards in their mandate to

protect the public. If you are interested in obtaining more information about NCEES, please visit their web site at <http://www.ncees.org>. Once there, you can read, or download, a copy of the Licensure Exchange, which is an official publication for the exchange of information, opinion, and ideas regarding the licensure of professional engineers and land surveyors.

NCARB

The National Council of Architectural Registration Boards (NCARB) comprises the architectural registration boards of all 50 states and those of the District of Columbia, Puerto Rico, Guam, the Virgin Islands and the Northern Mariana Islands. NCARB assists its member state registration boards in carrying out their duties and provides a certification program for individual architects.

The mission of NCARB is to work together as a council of member boards to safeguard the health, safety and welfare of the public and to assist member boards in carrying out their duties. In order to achieve these goals, the Council develops and recommends standards to be required of an

applicant for architectural registration; develops and recommends standards regulating the practice of architecture; provides to member boards a process for certifying the qualifications of an architect for registration; and represents the interests of member boards before public and private agencies. With the Committee of Canadian Architectural Councils (CCAC), NCARB has also established guidelines for the reciprocal registration of U.S. and Canadian architects.

If you are interested in obtaining more information about NCARB, please visit their web site at <http://www.ncarb.org>.

ANNOUNCEMENT OF PUBLIC FORUM



The Missouri Board for Architects, Professional Engineers and Professional Land Surveyors invites all architects, professional engineers and professional land surveyors in the Southwestern Missouri Area to meet for a public forum. The forum is scheduled for Monday, November 5, 2001, from 4:30 p.m. - 6:00 p.m. in the Ballroom, at the Holiday Inn University Plaza Hotel, 333 John Q. Hammons Parkway, Springfield, Missouri. You are cordially invited to attend the forum for the purpose of discussing with the Board any items of common interest relative to licensure, enforcement and regulation of architecture, engineering and land surveying in the State of Missouri as set forth in Chapter 327, RSMo. It is anticipated that at least the following topics will be slated for discussion:

- Numbers and Types of Complaint Cases
- Changes in the Law Affecting Architects, Engineers and Land Surveyors
- Electronic Sealing and Signing of Documents
- Proposed Rule Change to Board Rule 4 CSR 30-10.010 Concerning Certificate of Authorities for Corporations

If you plan to attend the forum, please provide confirmation to the Board Office on or before Monday, October 29, 2001. If there are particular items of interest that you would like discussed at the November 5th meeting, please provide the Board Office with a list of those items so that the Board Members can be making plans to address your topics of interest. Please RSVP by calling (573) 751-0800 or by Facsimile to (573) 751-8046.

CONGRATULATIONS TO THOSE WHO HAVE RECENTLY PASSED THE NCEES PRINCIPLES AND PRACTICE OF LAND SURVEYING EXAMINATION AND/OR MISSOURI STATE SPECIFIC EXAMINATION

Kirk R. Baldwin
John Scott Cline
Margaret Susanne Daniel
Mark B. Holt
Michelle Elise Lee
Randy S. Lewis
David R. McClain
Michael D. Million
Tobin R. Roberts

Matthew Herbert Schrader
John J. Shrewsbury
Kenneth Orval Shipley
Joseph Strick
Ronald G. Thomas
Robert L. Walker
Joe D. Williamson
Michael S. Wright

CONGRATULATIONS TO THOSE WHO HAVE RECENTLY PASSED THE NCEES PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION

Christopher Dale Alverson
Kyle Joseph Archer
Brett S. Atherton
Matthew M Bacon
Michael E Baxter
William Burton Benesek
James David Bensman
George Edward Bergen Jr
Chris E Berry
Kevin Christopher Billmann
Bret Paul Boule
Jason M Bretz
Daniel Jacob Bruno
Jeremy C Buchanan
Michael A Buescher
Joel Scott Buffington
Scott Eugene Bybee
Richard James Campbell
John C Checco
Edward R. Close
King Coltrin
Joseph I Dashiell
Robert E Daugherty
Lana M Denning
Torrey Alexander DiCiro
Aaron John Everson
Chad D Fairbanks
Karl Dean Fiebich
Michael James Fisher
Michael Sean Fitzhenry
Andrew R Friedrich
Jeff M Fries
Michael Joseph Galluzzo
Shashi Kumar Gannavaram
Jonathan A Gano
Nichalos Dewey Gardner
Christopher P. Garofalo
Joseph Wade Garrison
Joseph G. Gasaway
Jeffrey E Gnojewski
Suzanne Clare Goldak
Matthew J Gruendler
Christine D Grunbaum
Martin Matthew Gugel
Johnny D Gwynne

Mark N Haddock
Scott A. J. Halter
Hani M. Hanna
Rod D. Harashe
Kevin McKay Harris
Stephen D Hicks II
Scott Robert Hitchcock
Christopher Charles Hoag
Sharon Ann Weber Hoffmann
Nicole A Kolb Hood
Jeffrey A Huettenmeyer
Tarek Kamel Iskandarani
Thomas Patrick Lu
M. Maher Jaafari
Debra Marie Johnson
Michael Lee Jones
Richard S Kingery
Randy F Kixmiller
Angela D Kolb
Douglas J Kolb
Janice Elizabeth Korsmeyer
Jeffrey Wayne Kuehn
Christine M Kump
Mark H Lenox
Rebecca Sue Lesnik
Bryan L Lightfoot
Thomas P Lohman
Jennifer A Luce
Jim Luebbering
Eric L Marcellus
Jeffrey A Martin
Annette Y McClintock
Andrew Lee Meyer
Jeffrey L Milhorn
Scott W Miller
Aaron W Moen
Christine Therese Muehlher
Kurt Paul Muehlher
Roger Wayne Nelson
Gregory J. Neuner
Andrew Tracy Novinger
Gregory Novotny
Paul J Osborne
David R Pellett
Robert S Pemberton

Mark Allan Phillips
Todd R Polk
Todd Alan Posson
David K Probst
Natalie R Roark
Tammy Lynn Robinson
Macy J Rodenbaugh
William Harold Romines Jr
Steven Earl Russell
Safaa El-Fadil Saeed
Darin Ray Sanders
Travis J Sanders
Duane W. Sandin
Kirby L Scheer
Jerry A Scheible
Carol A Schreiber
Jeffrey W Schroer
Scott Sevier
Richard W. Shipley
Jeffrey James Shook
Barry Lee Simmons
Daniel Robert Smith
Michael Lee Smith
Timothy L. Spiker
Cynthia Stranis
Wayne A Strobe
Llans E Taylor
Steven C Usnick
Brandon Brice Viers
Samuel L Volkman
Jeffrey Alan Volmert
Bradley M Voorhees
Larry J Waite
Robert Allen Walquist
Yumei Wang
Wayne A Weber
Steven Scott Werner
Leon E. White
Shari A Willadsen
Dale Andrew Williams
Stephen Everett Williams
Mary E. Wilson
Alan C. Woodmansey
Curtis Dewayne Woolsey
Cesar A Yanes

SEX AND VIOLENCE IN LITTLE ROCK

By C. Michael Perry

Board Investigator

Missouri Board for Architects, Professional Engineers and Professional Land Surveyors

The title got your attention didn't it? I knew it! You see, I needed your attention to tell you about the mock trial recently held in Little Rock, Arkansas at the National Council of Examiners for Engineering and Surveying 80th Annual Meeting. The trial, which was held on Saturday August 4th, was part of a daylong law enforcement session that was attended by Investigators, Attorneys, Professional Engineers, Professional Land Surveyors and Board Administrators. It included a presentation by the Arkansas Board for Engineers and Land Surveyors as well as open forum discussions on design build, investigations, and fire sprinklers. But surely most would agree that the mock trial was the highlight. It included a funny cast of characters that read from scripts, with a few adlibs thrown in here and there, as they demonstrated to the audience how a hearing would be conducted against a professional engineer accused of wrong doing in the great state of Tennessee.

The bad guy in this case was one, Harry Dare, (*a desperate looking character*) who was a Tennessee Licensed Professional Engineer. (*Come to think of it, most engineers are a little desperate looking...don't you think? Just kidding!*) Be that as it may, it seems Mr. Dare was primarily accused of two things. First, the State alleged that Mr. Dare affixed his seal to 18 pages of building plans that were not prepared under his immediate personal supervision when prosecutor, Ms. Carol Dean Smith, announced to the court that Mr. Dare prostituted his seal. At which point Mr. Jim Dandy, attorney for the defense, sprang to his feet proclaiming with great enthusiasm that his client was a happily married man. Thankfully, Judge Robert McGowen was able to bring Mr. Dandy under control as he admonished him to stick to the issues at hand. Secondly, Mr. Dare was charged with a conflict of interest in that he assumed the role of project engineer and later as a consultant for the county. All the while planning to submit a bid himself for the construction management portion of the project on behalf of his own construction firm. And further that he failed to make full disclosure of his roles to all interested parties, including other contractors.

The trial proceeded under the gentle, but firm, guidance of Judge McGowen, whose main problem seemed to be his

inability to control Ms. Penelope Pureheart, his own court reporter. And of course as I mentioned, he bumped heads a time or two with Mr. Dandy. But then everyone bumps heads with defense attorneys. (*Come to think of it...most defense attorneys look kind of desperate too...I'm not kidding this time! Sure hope no defense attorneys are reading this...*) In any case, the Judge let everyone know from the outset that his job was to rule on evidentiary matters and it was the Board's responsibility to determine guilt or innocence, and if guilty the appropriate penalty. By the way, we, the audience, played the Board.

At this point there are two important differences you should know between this mock Tennessee trial and one held in Missouri. First, in Missouri, the trial or hearing would indeed be held before an Administrative Hearing Judge. But the Board does not sit judgement at this stage. Instead the Judge hears the evidence presented by both the prosecution and the defense and then makes a determination as to whether the Board has cause to discipline the licensed professional's license. Then a second hearing is held before the Board with the Board Chair presiding. At this hearing the defendant has the opportunity to present his or her reasons why the Board should impose a lesser penalty. And of course the State, represented by an Assistant Attorney General, presents evidence why the Board should impose a more severe penalty. Often, at these hearings, the defendant must be reminded that he or she has already been found guilty and so that is not at issue before the Board. The second major difference is (*and this is a big one*) the Missouri Board does not have the statutory authority to assess civil penalties or fines against a licensee (*or non-licensee for that matter*) found guilty of wrongdoing.

In any case, things were going great for Defendant Dare right up to the point when the prosecution called him to testify. But since he was the first witness, the going great part didn't last very long. Mr. Dare admitted to violation after violation under the stern queries of Ms. Smith. Mr. Dandy tried to rescue his client but to no avail as Judge McGowen overruled his objections again and again. By the way, Mr. Dandy admitted at one point that he was reluctant to take this case, as he knew nothing of the disciplinary process, not to mention absolutely nothing about engineering, but happily took the case when Mr. Dare

Continued on Page 18

SEX AND VIOLENCE IN LITTLE ROCK Continued

Continued from Page 17

assured him he could pay his fee. But alas, when the prosecution was finally finished ripping Mr. Dare to shreds, we all detected a pronounced shoulder droop as he walked away.

In the end, we found Mr. Dare guilty of all counts although there were a few desenting votes regarding the conflict of interest part. Nonetheless, after much discussion we decided that it would not be appropriate to revoke his license and thus take away his livelihood. Many also thought that his 30 years of engineering experience without prior discipline should count for something. Although from my perspective as an investigator (*and former cop*), I would maintain that he's just not been caught before. (*Sorry...I'm being cynical here...one of the hazards of my time as a cop I guess.*) In any case, we decided Mr. Dare's penalty could be suspension and a heavy fine. Although we never did really lock in on what the heavy fine should be but someone mentioned \$10,000. (*Ouch!*)

But the real story in this trial was Ms. Pureheart. She looked so sweet and innocent as she busily went about the task of recording the court proceedings. Although it was difficult to see how she could do that in between

polishing her nails, applying her lipstick and snapping her bubble gum. The Judge did have to remind her several times that it was her responsibility to administer the oath to each witness which she did by saying, "Do you swear to tell the whole truth and all that stuff?" And each time an exhibit had to be marked she would mark it in disgust (*because it was taking away from her nail filing time*) and defiantly toss it in the Judge's direction. But the good Judge remained unfettered as he proceeded with the courts business. But we were all aghast and shocked as sweet, innocent, precious Ms. Pureheart pulled a magazine from her purse and began to read. The words on the cover said it all. There, in giant letters, for all to see, were the words, "**SEX AND VIOLENCE.**" Bet you were wondering when I was going to get to the sex and violence part? Geez, I feel a little like Paul Harvey.

COMPLAINT PROCESS

All complaints received by the Board are assigned a complaint number. A complaint may be based upon personal knowledge or beliefs based on information received from other sources. The complaints must be made in writing. Verbal or telephone communications are not acceptable, but you may request a complaint form by telephone or download one from the Board's website, fill it out and mail it back to the Board. In general, the complaint is considered to be a closed record

and is not accessible to the public. Any complaint that is received by the Board is acknowledged in writing. The complainant will be notified of the final outcome. Any disciplinary action taken by the Board is a matter of public record. The Board believes publication of disciplinary actions to be in the public interest and has included such in this newsletter. If you have any questions, please contact the Board's office.

DISCIPLINARY ACTIONS

Suspension/Probation

Disclaimer: Every effort has been made to ensure that the following enforcement information is correct. However, this information should not be relied upon without verification from the Board office. It should be noted that the names of companies and individuals listed may be similar to the names of the parties who have not had enforcement actions taken against them. Discipline orders are public data and copies may be obtained by contacting the Board office.

PATRICK DEAN CROCKER, E-18052

Springfield, Missouri

Mr. Crocker agreed to a settlement whereby his professional engineering license was placed on probation for a period of one year commencing September 26, 2001 and ending September 25, 2002.

CAUSE FOR DISCIPLINE: Section 327.441.2(5) and (6). Misconduct and violation of a Board rule or statute for failing to include a disclaimer and failing to sign and date his seal on project sheets.

ROGER F. VERSLUES, E-13865

Jefferson City, Missouri

Mr. Verslues agreed to a settlement whereby his professional engineering license was placed on probation for a period of two years commencing September 19, 2001 and ending September 18, 2003.

CAUSE FOR DISCIPLINE: Section 327.441.2(6). Violation of, or assisting anyone to violate a Board rule or statute for failing to sign and date his seal on project plans and failing to prepare or personally supervise the preparation of plans.

S & V CONSULTANTS, INC., E-1383-D

Jefferson City, Missouri

By agreed upon settlement, S&V Consultant, Inc.'s corporate certificate of authority was placed on probation for a period of two years commencing on September 19, 2001 and ending September 18, 2003.

CAUSE FOR DISCIPLINE: Section 327.441.2(10), (13) and (14). Offering to provide land surveying services without a corporate certificate of authority.

ROY A. BECKER, E-18041

Grover, Missouri

By Order of the Board, Mr. Becker's professional engineering license was suspended for a period of one year followed by a probationary period of three years. Suspension commencing September 20, 2001 and ending September 19, 2002. Probation commencing September 20, 2002 and ending September 19, 2005.

CAUSE FOR DISCIPLINE: Section 327.441.2(5), (6), (10) and (13). Fraud, incompetency, dishonesty, gross negligence, misrepresentation and misconduct in the practice of professional engineering and violation of a Board rule or statute for failing to affix the date beneath his seal and signature, assisting a non-registrant in the unlawful practice of professional engineering, and signing and sealing documents not prepared by him.

Continued on Page 20



Suspension/Probation Continued

Continued from Page 19

DONALD E. BORMANN, LS-2012

Centralia, Missouri

Mr. Bormann agreed to a settlement whereby his professional land surveying license was placed on probation for a period of three years commencing August 2, 2001 and ending August 1, 2004.

CAUSE FOR DISCIPLINE: Section 327.441.2(5), (6) and (13). Misconduct in the practice of professional land surveying and violation of a Board rule or statute for failing to comply with Missouri Minimum Standards for Property Boundary Surveys.

C. STEPHEN HEYING, LS-1991

Ashland, Missouri

Mr. Heying agreed to a settlement whereby his professional land surveying license was placed on probation for a period of two years commencing March 26, 2001 and ending March 25, 2003.

CAUSE FOR DISCIPLINE: Section 327.441.2(5), (6) and (13). Failing to comply with Missouri Minimum Standards for Property Boundary Surveys.

WILLIAM H. JOHNSON, SR., A-1597

Kansas City, Missouri

Mr. Johnson agreed to a settlement whereby his architectural license was placed on five years probation commencing March 19, 2001 and ending March 18, 2006.

CAUSE FOR DISCIPLINE: Section 327.441.2(6) and (10). Assisting or enabling an unlicensed person to practice or offer to practice engineering and violation of a Board rule or statute.

WHKS & CO., E-1061-F

Mason City, Iowa

By agreed upon settlement, WHKS & CO.'s Corporate Certificate of Authority was placed on probation for a period of five years commencing March 21, 2001 and ending March 20, 2006.

CAUSE FOR DISCIPLINE: Section 327.441.2(5), (6) and (13). Misconduct in the performance of the functions or duties of a professional licensed or regulated by Chapter 327 and violation of, assisting or enabling violation of, a Board rule.

OTHER ACTIONS

Miscellaneous

ROBERT T. HEDIGER, E-23855

St. Louis, Missouri

On July 25, 2001, Mr. Hediger entered into a settlement with the Board whereby he agreed to utilize the appropriate engineering discipline for mechanical, structural, and electrical portions of all

projects consistent with his education, training and experience in the specific technical areas involved. Mr. Hediger also agreed not to perform architectural work on projects except as provided by Section 327.101.

Injunctions

DANE PERRY, NOT REGISTERED

El Dorado Springs, Missouri

On May 7, 2001, the Circuit Court of Cedar County, Missouri issued a Consent Judgment for Permanent Injunction against Dane Perry d/b/a Perry Construction Specialties enjoining Mr. Perry from offering to engage in the practice of architecture as defined in Section 327.091 or the practice of professional engineering as defined in Section 327.181, unless and until he possesses a valid license or certificate of authority as appropriate, issued by the Board.

LARRY D. WILLS, not registered and W.B. ENTERPRISES, INC., not registered

Kansas City, Missouri

On March 26, 2001, Mr. Wills and W.B. Enterprises, Inc. were permanently enjoined from the practice of professional engineering as defined by Section 327.181, unless and until Mr. Wills or W.B. Enterprises, Inc. possesses a valid license or certificate of authority, as appropriate, issued by the Board.

Voluntary Surrender

GERALD W. HOLLANDER, E-25524

Mason City, Iowa

Mr. Hollander voluntarily surrendered his professional engineering license and will make no effort to obtain a Missouri license in the future.

CAUSE FOR DISCIPLINE: Section 327.441.2 (5) and (13). Misconduct in the performance of the functions and duties of a professional engineer and violation of a professional trust or confidence.



REMINDER... You can download the Board's regulations, fee information, examination dates, current list of educational activities preapproved for Land Surveying PDU credits, etc. from the Board's website at www.ecodev.state.mo.us/pr/moapels. The application forms are coming soon. To download the information:

Go to www.ecodev.state.mo.us/pr/moapels
Click the appropriate button
Click the information required
You will then be able to download each item (either PDF or Word)

By going to the Board's website, you can also view licensure information, previous issues of DIMENSIONS, staff names, links to important sites and other information related to the Board.

Please take a minute to review the website and see what information you could use. The website is updated regularly, so keep an eye out for more applications to be available soon.



EXAMINATION SCHEDULE

Professional Engineer Exam Dates

<u>Exam Date</u>	<u>Application Due Date</u>	<u>Evaluation Filing Deadline</u>	<u>Re-Exam Filing Deadline</u>
October 26, 2001	July 30, 2001	May 30, 2001	August 31, 2001
April 19, 2002	January 18, 2002	November 20, 2001	March 1, 2002
October 25, 2002	July 29, 2002	May 28, 2002	August 26, 2002
April 11, 2003	January 13, 2003	November 12, 2002	February 12, 2003

Engineer Intern Exam Dates

<u>Exam Date</u>	<u>Application Due Date</u>	<u>Evaluation Filing Deadline</u>	<u>Re-Exam Filing Deadline</u>
October 27, 2001	September 11, 2001	May 30, 2001	August 31, 2001
April 20, 2002	March 6, 2002	November 20, 2001	March 1, 2002
October 26, 2002	September 11, 2002	May 28, 2002	August 26, 2002
April 12, 2003	February 26, 2003	November 12, 2002	February 12, 2003

Land Surveyor Exam Dates

<u>Exam Date</u>	<u>Application Due Date</u>	<u>Re-Exam Filing Deadline</u>
October 26, 2001	July 30, 2001	August 31, 2001
April 19, 2002	January 18, 2002	March 1, 2002
October 25, 2002	July 29, 2002	August 26, 2002
April 11, 2003	January 13, 2003	February 12, 2003

Land Surveyor-in-Training Exam Dates

<u>Exam Date</u>	<u>Application Due Date</u>	<u>Re-Exam Filing Deadline</u>
October 27, 2001	July 30, 2001	August 31, 2001
April 20, 2002	January 18, 2002	March 1, 2002
October 26, 2002	July 29, 2002	August 26, 2002
April 12, 2003	January 13, 2003	February 12, 2003

CALENDAR

November 4, 5 & 6, 2001
Board Meeting, Springfield, MO

February 3, 4 & 5, 2002
Board Meeting, Jefferson City, MO

May 5, 6 & 7, 2002
Board Meeting, St Louis, MO

August 25, 26 & 27, 2002
Board Meeting, Kansas City, MO



MOVING? PLEASE NOTIFY THE BOARD OFFICE OF YOUR NEW ADDRESS.

Name: _____
Profession: _____
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New Address: _____
(P.O. Box must be accompanied
by your physical address) _____

Signature: _____
Date: _____

Mail to:

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Jefferson City, MO 65102

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Joseph L. Driskill, Director

Division of Professional Registration
Marilyn Taylor Williams, Director

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